

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**JEREMY LOGWOOD
#135478**

PETITIONER

V.

No. 5:06CV00267-BD

**LARRY NORRIS, Director
Arkansas Department of Correction**

RESPONDENT


ORDER

Petitioner, Jeremy Logwood, filed a pro se petition for writ of habeas corpus (#1) under 28 U.S.C. § 2854. Respondent filed a response to the petition (#9) asserting that the petition should be dismissed because Petitioner failed to properly raise any of his claims for relief in state court. This Court ordered (#10) Petitioner to reply to the response and show cause for his alleged procedural default and prejudice resulting from the alleged violation of federal law or application of an exception to this rule. In his response (#14) to the Court's order, Petitioner admits that has not properly raised his claims in state court and requests that his petition be dismissed without prejudice to permit him to do so. The Court will treat Petitioner's response (#14) as a motion for voluntary dismissal. Under Federal Rule of Civil Procedure 41(a)(1), the Petitioner is entitled to a voluntary dismissal of his petition.

IT IS, THEREFORE, ORDERED that Petitioner's motion for voluntary dismissal (#14) is GRANTED. The petition (#1) is DISMISSED WITHOUT PREJUDICE and

Petitioner's pending motions for copies (#15) and for order of protection (#16) are
DENIED as moot.

IT IS SO ORDERED this 14th day of February, 2007.

A handwritten signature in black ink, appearing to read "B. B. B.", is written above a horizontal line.

United States Magistrate Judge